

ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

RECEIVED
JUN 30 2005

Illinois Commerce Commission
RAIL SAFETY SECTION

Illinois Central Railroad Company,

Petitioner,

v.

Neoga Township, the City of Neoga and the State of Illinois,
Department of Transportation,

Respondents.

T05-0007

Petition of Illinois Central Railroad Company seeking an order of closure of the at-grade crossings of Cemetery Road/ TR-67 (DOT 289 160P; railroad milepost 185) and TR-85 (DOT 289 161W; railroad milepost 185.65) and the Illinois Central Railroad Company's tracks, and an order of installation of automatic flashers and gates at the crossing of TR-85A (DOT 289 162D; railroad milepost 186.16) and the Illinois Central Railroad Company's tracks, all in Neoga Township, Cumberland County, Illinois.

**RESPONSE TO RESPONDENT'S FIRST REQUEST FOR
PRODUCTION OF DOCUMENTS**

Now comes Illinois Central Railroad Company ("IC") with its Response to the City of Neoga's First Request for Production of Documents and states as follows (the Requests are in italics):

REQUEST #1: *All documents relating to accidents involving a train at Crossing 950 for the last twenty years.*

ANSWER: Documents enclosed.

REQUEST #2: *All documents relating to the blocking of the crossing at 900 for a time longer than the statutory allowed term.*

DOCKETED

JUL 6 2005

Jr. DJ

ANSWER: We will provide these records as soon as we can. My Risk Management Department informs me that we only had two citations in Neoga in 2004, which we settled. We recently received three citations which were forwarded to a law firm in Mattoon for handling. The State's Attorney generally prosecutes the citations.

REQUEST #3: *Citations, tickets, notification or other information relating to violations of the maximum statutory time to block Crossing 900.*

ANSWER: See Answer to Number 2.

REQUEST #4: *All documents relating to the blocking of the crossing at 950 for a time longer than the statutory allowed term.*

ANSWER: See Answer to Number 2.

REQUEST #5: *Citations, tickets or other information relating to violations of the maximum statutory time to block Crossing 950.*

ANSWER: See Answer to Number 2.

REQUEST #6: *All documents relating to the possible or proposed closure of Crossings 900 and 950, the alternative road from 950 to the north, the alternative road from 900 to the south and the repair and signaling of Crossings 850, 900 and 950.*

ANSWER: Documents enclosed.

REQUEST #7: *All documents relating to the construction of the additional tracks south of Neoga along the area adjoining County Roads 900 and 950 as well as documents relating to the consideration of placing the third rail at another location, particularly an area immediately north of Neoga.*

ANSWER: See Answer to Request to Admit #14.

REQUEST #8: *Documents relating to estimated growth of Neoga to the south, estimated future use of these crossings if they weren't closed, estimated distances from one side of the crossings to the other side of the crossings.*

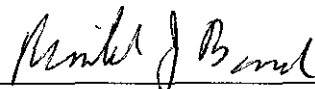
ANSWER: Documents enclosed.

REQUEST #9: *Policies, procedures and internal plans and other documents relating to planned usage of the area of tracks upon which Crossing 950 and Crossing 900 are now located including but not limited to, such plans, documents, policies and procedures to assure (if Crossing 900 and Crossing 950 were closed) that Crossing 850 would remain without any blockage in excess of a period of ten minutes.*

ANSWER: IC will endeavor to see if it has an operating plans specific to the area just south of Neoga. In addition, IC shall be providing additional documentation as it locates it pertaining to crossing closures throughout the state of Illinois.

Dated at Homewood, Illinois this 28th day of June, 2005.

ILLINOIS CENTRAL RAILROAD COMPANY

By 
Michael J. Barron, Jr.
Counsel
CN
17641 S. Ashland Avenue
Homewood, IL 60430-1345
Phone: 708-332-3954
Fax: 708-332-3052
ARDC 6228809

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

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v.

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NOTICE OF SERVICE OF DISCOVERY RESPONSES

Mr. Carl M. Webber
Webber & Thies, P.C.
202 Lincoln Square
Urbana, IL 61801

Mr. Ben Bland
Cumberland County Highway Engineer
800 East Industrial Drive
Toledo, IL 62468

Mr. Lloyd A. Lacy
Neoga Township, Supervisor
590a County Road 750N
Neoga, IL 62447

Ms. Doris McKay
Neoga Township, Clerk
88 County Road 1400 N
Neoga, IL 62447

Mr. David D. Johnston
Neoga Township Highway Commissioner
608 County Road 1000 N
Neoga, IL 62447

Mr. Jay Russel
City of Neoga, Mayor
P.O. Box 248
Neoga, IL 62447-0248

Mr. Victor A. Modeer
Director of Highways, IDOT
ATTN: JEFF HARPRING, ROOM 205
2300 South Dirksen Parkway
Springfield, IL 62764


Mr. Michael Stead
Rail Safety Program Administrator
Illinois Commerce Commission
527 E. Capital Avenue
Springfield, IL 62701

Ms. Ellen Schanzle-Haskins
Chief Counsel
Illinois Department of Transportation
2300 S. Dirksen Parkway
Springfield, IL 62764

David Lazarides
Act. Program Mgr. Processing &
Information
Illinois Commerce Commission
527 E. Capitol Avenue
Springfield, IL 62701

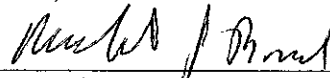
PLEASE TAKE NOTICE that we have on this 28th day of June, 2005, served on the City of Neoga, through their attorney, Mr. Carl M. Webber, our Response to Respondent's First Request for Production of Documents.

ILLINOIS CENTRAL RAILROAD COMPANY

By 
Michael J. Barron, Jr.
Counsel
CN
17641 S. Ashland Avenue
Homewood, IL 60430
Phone: 708-332-3954
Fax: 708-332-3052
ARDC 622880`9

CERTIFICATE OF SERVICE

I, MICHAEL J. BARRON, JR., an attorney, certify that I served the foregoing Response to Respondent's First Request for Production of Documents upon the those made parties to this proceeding by enclosing copies of the foregoing in envelopes addressed to the parties as set forth below, postage prepaid, and depositing the envelopes in the United States Mail at 17641 S. Ashland Avenue, Homewood, IL on the 28th day of June, 2005.



Michael J. Barron, Jr.

Mr. Carl M. Webber
Webber & Thies, P.C.
202 Lincoln Square
Urbana, IL 61801

Mr. Ben Bland
Cumberland County Highway Engineer
800 East Industrial Drive
Toledo, IL 62468

Mr. Lloyd A. Lacy
Neoga Township, Supervisor
590a County Road 750N
Neoga, IL 62447

Ms. Doris McKay
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88 County Road 1400 N
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Mr. David D. Johnston
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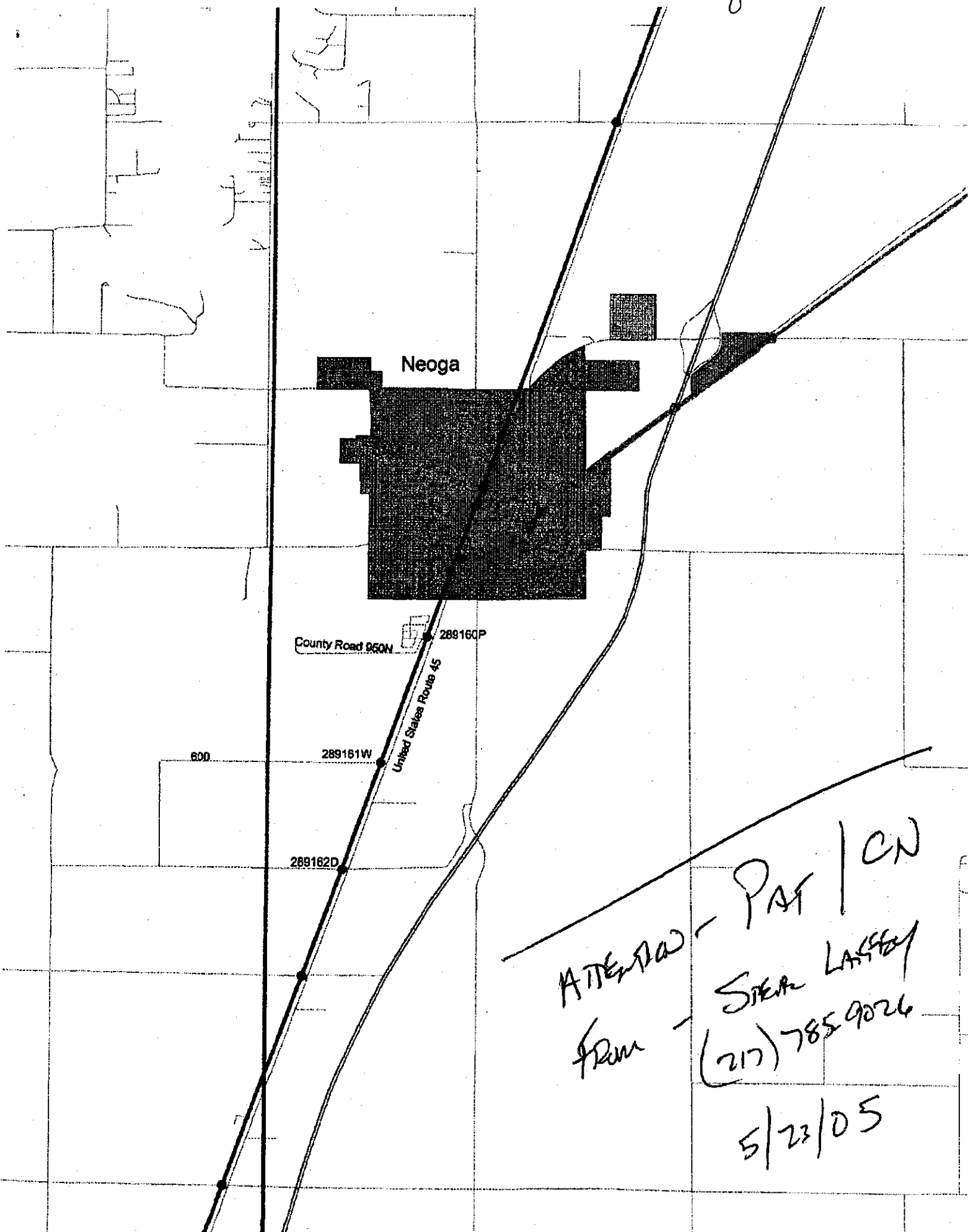
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David Lazarides
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527 E. Capitol Avenue
Springfield, IL 62701

REQUEST #1

p. 1



ATTENTION - PAT / CN
FROM - STEVE LASSER
(217) 785 9026

5/23/05

Created: 05/23/2005 Printed: 05/23/2005 Page: 1 of 2

ILLINOIS COMMERCE COMMISSION
Crossing Inventory & Statistical Information System v1.0
CROSSING INQUIRY REPORT FOR INVENTORY NUMBER ==> 289160P

CITY (Near) :	NEOGA	RAILROAD COMPANY :	IC
COUNTY :	CUMBERLAND	RAILROAD MILEPOST :	185.00
STREET NAME :	950N	RAILROAD LINE :	M
HIGHWAY NAME :	TR67	SPUR CROSSING :	00
CROSSING TYPE :	Public (At Grade) Crossing	TRACKS (MAIN / SIDE) :	1 / 2
CROSSING LOCATION :	Open space	TYPE OF OTHER TRACKS :	SIDNG
FUNCTIONAL CLASS :	Local, rural	DAY TRAINS (THRU) :	10
HIGHWAY CLASS :	Other Fed-Aid Hwy	TOTAL TRAINS (ALL/SW) :	25 1
JURISDICTION :	Local	TOTAL / LESS THAN 1? :	25 No
#LANES / RD PAVD? :	2 No	SPEED (TTBL MAX MIN) :	79 79 40
TRAFFIC / #TRUCKS :	125 1+	TRACKS PARALLEL :	No
CROSSING SURFACE :	Asphalt	INTERSECTION IN 75FT :	***
WARNING DEVICES :	Crossbucks	CROSSING ANGLE :	60s to 90s
SPECIAL WARNING :			
OTHER WARNING :		ADVANCE WARNING :	No
OTHER SIGNS 1 - 2 :	3 TRACKS	PAVEMENT MARKING :	None
BRANCH NAME :	MAINLINE	RAILROAD SYMBOLS :	No
DIVISION :	NORTHERN	FIRST ACTIVE WARNING :	/ /
SUBDIVISION :	CHAMPAIGN	FIRST ACTIVE WARNING :	/ /
AAR - SAME TRACK :	ATK / /	FIRST RECORD :	/ /
AAR - OTHER TRACK :	/ / /	CROSSING CLOSED :	/ /

----- <<< ACCIDENT HISTORY >>> -----

DATE	TIME	REPORTED-BY	FATAL	INJ.	RR-EQUIPMENT	VEHICLE	ACCIDENT-TYPE	WEATHER
05/06/1995	11:40 AM	ICG M		1	0 ICG	Freight	Automobile Train-Vehicle Clear	

----- <<< COMPLAINT HISTORY >>> -----

COMPL#	RECEIVED	CLOSED	AAR	STAFF	NATURE OF COMPLAINT
000335	09/28/2000	01/22/2001	IC	VONJ	Miscellaneous
040131	06/21/2004	07/29/2004	IC	WAGR	Crossing Blockage
040135	06/25/2004	07/29/2004	IC	WAGR	Crossing Blockage
040147	07/09/2004	10/08/2004	IC	VONJ	Upgrade/Modify Warning Devices
050062	03/10/2005	03/15/2005	IC	STEM	Miscellaneous
050087	04/06/2005	05/10/2005	IC	WAGR	Miscellaneous
940259	07/29/1994	08/23/1994	ICG	BERR	Crossing Blockage
990230	06/01/1999	06/10/1999	IC	STEM	General Information
990309	07/30/1999	08/23/1999	IC	SHAS	General Information

----- <<< X-RESOLUTION HISTORY >>> -----

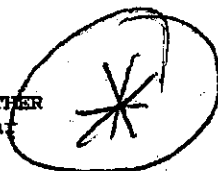
Nothing on file.

----- <<< ORDER/DOCKET HISTORY >>> -----

Nothing on file.

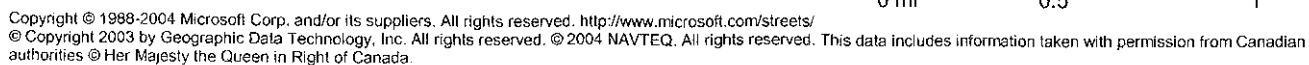
----- <<< FORM-1 PETITION HISTORY >>> -----

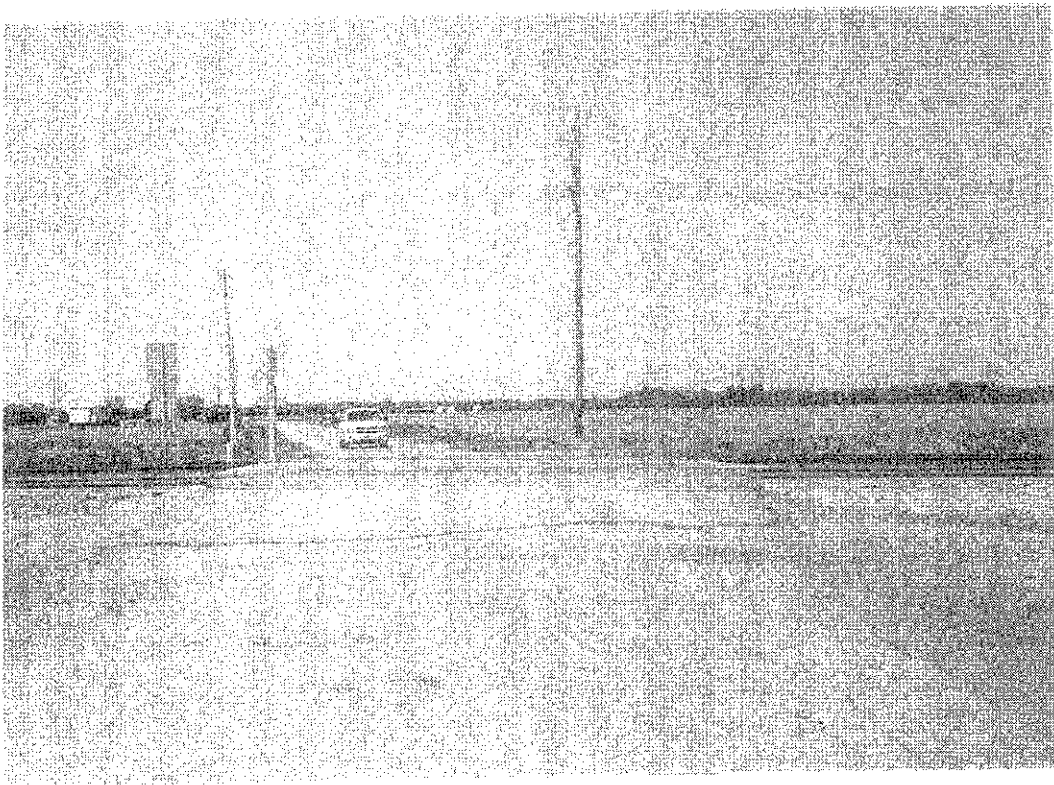
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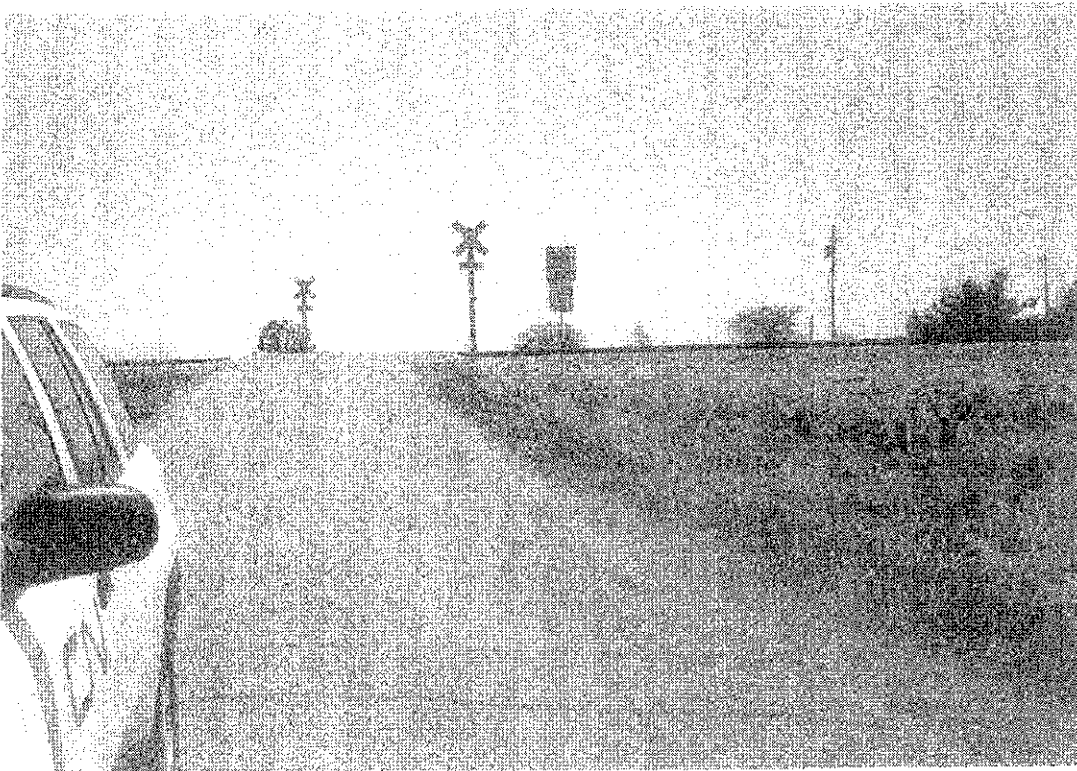
DWLY DWK

Request #6





TR 85
looking west



TR 85
looking east